

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

FRANCISCO GALLEGOS, JR.

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§

CASE NO. 4:09CR78


**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On August 28, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Opposed Motion to Suppress Evidence (Dkt. 20) be DENIED.

The court, having made a *de novo* review of the objections raised by Defendant, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Defendant are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that Defendant's Opposed Motion to Suppress Evidence (Dkt. 20) is **DENIED**.

**SIGNED this the 4th day of September, 2009.**



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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE